

- 11 -

Guojun Zhou
Appl. No. 09/884,423

Remarks

Reconsideration of the Restriction Requirement as applied to this Application is respectfully requested. Claims 1-24 are pending in the application, of which claims 1, 8, 10, 15, 18, and 23 are independent. Claims 8, 15, and 23 have been amended. No new matter is embraced by this amendment and its entry is respectfully requested. Based on the above Amendment and the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw the Restriction Requirement.

Election

The Examiner states, on page 2 of the Restriction Requirement, that the claims are directed to two patentably distinct species, namely:

Group I: A system/method/and computer readable medium of detecting the psycho-physical state of a user based on the speech from the user as recited in claims 1-7, 10-14, and 18-22.

Group II: A voice based information retrieval system as recited in claims 8-9, 15-17, and 23-24.

In response to the restriction requirement, Applicant hereby elects Group I comprising claims 1-7, 10-14, and 18-22, with traverse.

Applicant respectfully submits that the restriction is improper and should be withdrawn. For a restriction requirement to be proper, the Examiner must show that distinctive inventions are being claimed as well as a serious burden on the Examiner if the application is not restricted. Applicant respectfully submits that there are no substantial distinctions between Groups I and II which would necessitate a serious

- 12 -

Guojun Zhou
Appl. No. 09/884,423

burden. Both groups are related to a psycho-physical state sensitive voice dialogue system.

The Examiner, on page 2 of the Restriction Requirement, indicates that "the combination as claimed does not require the particulars of the subcombination as claimed because voice based information retrieval does not require[ed] [the] particulars of detecting [the] psycho-physical state of [the] user based on the speech from the user. The subcombination has separate utility such as detecting psycho-physical state of the user based on the speech from the user and carry[ing] on a dialog based on the psycho-physical state of the user." Applicant respectfully disagrees. In fact, claims 16 and 24, which the Examiner indicates are part of Group II, and therefore are directed to carrying on a dialog based on the psycho-physical state of the user, include the elements of "receiving input speech data from the user" and "detecting the psycho-physical state of the user from the input speech data." Thus, contrary to the Examiner's reason for restriction, the voice based information retrieval claims of Group II do require detecting the psycho-physical state of the user based on the speech from the user (as also recited in the claims from Group I). Applicant therefore believes that the search and examination of the entire application can be made without serious burden to the Examiner.

- 13 -

Guojun Zhou
Appl. No. 09/884,423

For at least the reasons stated above, it is respectfully requested that the restriction requirement be reconsidered and withdrawn, and that examination on the merits of all of the claims proceed.

Respectfully submitted,

Intel Corporation

Crystal D. Sayles
Crystal D. Sayles
Senior Attorney
Intel Americas, Inc.
Registration No. 44,318
(703) 633-6829

Dated: *August 26, 2004*

c/o Intel Americas, Inc.
4030 Lafayette Center Drive
Building LF3
Chantilly, VA 20151

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below

By: _____
Serita Evans

Date: August 26, 2004